

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

gcp/Tyson

Mailed: May 8, 2007

Opposition No. 91174969

William Grant & Sons, Inc.

v.

Craig Dieffenbach

George C. Pologeorgis, Interlocutory Attorney:

Applicant's motion (filed March 19, 2007) to suspend these proceedings pending the final determination of a civil action involving one of the parties to this Board proceeding, the action which is pending in the U.S. District Court for the Western District of Washington at Seattle, is hereby granted as well taken.¹

Trademark Rule 2.117(a) states that "[w]henver it shall come to the attention of the Trademark Trial and

¹ The civil action is styled *Experience Hendrix, LLC and Authentic Hendrix, LLC v. Electric Hendrix, LLC, Electric Hendrix Apparel, LLC, Electric Hendrix Licensing, LLC and Craig Dieffenbach*, Civil Action No. C 07-0338(TSZ), filed on March 7, 2007.

Opposition No. 91174969

Appeal Board that a party or parties to a pending case are engaged in a civil action or another Board proceeding which may have a bearing on the case, proceedings before the Board may be suspended until termination of the civil action or the other Board proceeding." This holds true even when only one of the parties is involved in another proceeding, as is the case here. See *Argo & Co. v. Carpetsheen Manufacturing, Inc.*, 187 USPQ 366 (TTAB 1975) (state court action to determine ownership of applicant's mark and authority of applicant of file application.)

Following a review of the civil action complaint submitted by applicant with his motion papers, the Board finds that the final disposition of the civil action referenced above could be dispositive of, or have a bearing on, the issues in the instant opposition proceeding.

Accordingly, proceedings are **suspended** pending the final disposition of the civil action.

Within twenty days after the final determination of the civil action, the interested party should notify the Board so that this case may be called up for appropriate action. During the suspension period the Board should be notified of any address changes for the parties or their attorneys.